

**Notice of Allowability**

Application No.

10/775,893

Applicant(s)

OZAWA ET AL.

Examiner

Timothy L. Rude

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 31 March 2005.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 31 March 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/255,145.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20050104.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>20050202</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

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**~~DEADLINE~~**

***Claims***

Claim 1 is amended. Claim 15 is added.

***Election/Restrictions***

Newly submitted claim 15 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The limitations which make claim 1 a unique species patentable over copending applications are not present in claim 15 which results in claim 15 reading on non-elected inventions. Please note that Applicant was required to elect the presently elected species in order to overcome double-patenting rejections.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 15 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

This application is in condition for allowance except for the presence of newly added claim 15 drawn to a non-elected invention and constructively elected by original presentation above. Accordingly, claim 15 has been cancelled.

***Drawings***

The proposed drawing correction is accepted by examiner.

***Double Patenting***

The nonstatutory double patenting rejections are withdrawn.

***Allowable Subject Matter***

Claims 1-14 are allowed.

The following is an examiner's statement of reasons for allowance:

As to claim 1, relevant prior art of record did not disclose, alone or in combination, a transfective liquid crystal display device as claimed comprising: light reflecting layers substantially corresponding to the reflective display region, layer-thickness adjusting layers each making a layer thickness of said liquid crystal layer in said reflective display region less than a layer thickness of said liquid crystal layer in said transmissive display region, and said first transparent electrodes, stacked in this order from a lower layer side to an upper layer side, wherein, a light shielding film is formed over the first substrate so as to be superimposed on a boundary region of said reflective display region and said transmissive display region.

The closest reference is Song et al (Song) USPAT 6,614,496 B1 wherein the reflective layer is below the transparent electrode. Applicant's IDS filed 02 February 2005 cites Kubo et al (Kubo) Japanese Patent Abstract Publication 11-101992 that also

has some similar structural features (see Figure 10). However, no reference with motivation to combine could be found to comprise the claimed structure with light shielding film superimposed on a boundary region. Applicant's invention permits improved control of transmitted and reflected light in the boundary region between the reflective and transmissive portions of the pixel area to prevent unwanted light leakage in said region. Please note that the claimed layer-thickness adjusting layers are considered to be layers that substantially adjust the thickness as their main function; layers for predominantly other purposes that do not substantially adjust the thickness of the liquid crystal layer are not considered to read on the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy L. Rude whose telephone number is (571) 272-2301. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2883

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Timothy L Rude  
Examiner  
Art Unit 2883



Frank G. Font  
**Supervisory Patent Examiner**  
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